

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	2:07-CR-0066 JCM (GWF)
	)	Related Case 2:09-CV-1764 JCM
vs.	)	
	)	
MAURICE DONNELL COOPER,	)	
	)	
Defendant.	)	
<hr style="border: 0.5px solid black;"/>		

**ORDER**

Presently before the court is the matter of *United States v. Cooper*, case number 2:07-cr-66-JCM-GWF.

On March 23, 2012, the Ninth Circuit issued an order vacating and remanding to this court. (Doc. #93). The Ninth Circuit had previously issued a certificate of appealability to determine whether this court “erred in summarily dismissing [Cooper’s] 28 U.S.C. § 2255 motion as procedurally defaulted and on the merits without first providing [Cooper] with notice of the default and an opportunity to respond and/or requiring a response from [the United States].” (Doc. #93).

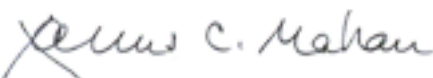
The order vacating and remanding included instructions that the United States “be required to respond to [Cooper’s] claims and [Cooper] be afforded the opportunity to respond to the argument for dismissal of some of his claims due to procedural default.” (Doc. #93). The order on mandate has now been entered on the docket. (Doc. #96).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States file a response to Cooper’s claims within 30 days of entry of this order. Cooper shall have 30 days from the date of the response in which to file a reply.

DATED June 27, 2012.

  
**UNITED STATES DISTRICT JUDGE**